

## SUPREME COURT DECISIONS

## VALIDITY OF STATE RAILROAD LAWS INVOLVED.

Alabama's Franchise Tax Declared Void—Minnesota's Tax on Gross Receipts Declared Valid—Western Union Telegraph Company Wins in Arkansas.

WASHINGTON, Feb. 21.—The Supreme Court met today after its midwinter recess of three weeks and handed down decisions in forty-eight cases. Among them suits involving the validity of railroad laws enacted by Alabama, Georgia, Arkansas, Kansas, Minnesota and South Carolina, the States being in some instances sustained and in others reversed.

The franchise taxes levied by Alabama on foreign corporations doing business in that State were held to be void as to the Central of Georgia Railroad Company, the Southern Railway and the Louisville and Nashville, and the judgment of the Alabama Supreme Court in dismissing bills brought by those companies to recover taxes was reversed for the reason that the law under which the taxes were levied and collected denied those corporations the equal protection of the law guaranteed by the Fourteenth Amendment in that domestic corporations were not subjected to such onerous taxes or penalties. Chief Justice Fuller and Justices McKenna and Holmes dissented.

The law of Minnesota enacted in 1903 taxing railroads on a basis of 4 per cent. of their gross receipts was held valid in the cases of the Great Northern and the Chicago and North Western, which companies contended that the law impaired the obligations of the contracts contained in their charters fixing the rate at 3 and 2 per cent., respectively. The court also held that the law was not unconstitutional rights to be violated because the State Constitution forbade the Legislature exempting a corporation from further taxation. The court also held that there was nothing in the bill to show that the increase to 4 per cent. was confiscatory, which was the only Federal question involved.

In five cases appealed by the Atlantic Coast Line and the Southern Express Company the law of South Carolina, imposing a penalty of \$50 for failure of a common carrier to deliver goods within ninety days, was held valid. The law was attacked on the ground that it was an interference with and burden on interstate commerce, but the court held it was not and that it was within the province of the State to protect its citizens in this manner.

The judgment of the Federal court in Georgia in enjoining the Comptroller-General of the State from collecting State county and municipal taxes on the franchise of the Georgia Railroad and Banking Company was affirmed except as to the so-called Washington branch road. The charter of the company, granted by the Legislature in 1881, fixing the taxes on the franchise of the company at one-half of one per cent. of its capital stock, was held to be a valid contract which exempted it from other taxation.

The court also held that the law of the Missouri Pacific Railroad in ordering the order of the Kansas Railroad Commission to inspect the service of the Missouri branch instead of mixed trains. The company showed that passenger trains could only be run at a loss but the court said that particular branch was concerned it could not escape the duty resting upon it through its charter to furnish proper transportation facilities.

By a divided court the law of Arkansas requiring foreign corporations to pay a tax based on their entire capital stock and providing penalties of \$1,000 a day for each day of failure was held to be void in two cases brought by the Western Union Telegraph Company.

Another important case was the appeal of the Monongahela Bridge Company, which had been fined \$1,000 for obstructing navigable waters, in refusing to rebuild its bridge. This case was ordered by the then Secretary of War. The bridge was chartered by the Pennsylvania Legislature in 1832 and formed part of the national turnpike to the West. In its appeal to the Supreme Court the corporation contended that the effect of the order of the Secretary of War was a taking of private property for public use, which was forbidden by the Federal Constitution, and also set up its Pennsylvania charter as a bar to prosecution. In affirming the imposition of the fine the court held today that the act of 1832 was not a delegation of the power of Congress; that the interested parties had been given full opportunity to be heard and reasonable time to make the changes required, and that to require changes in a particular bridge after such hearing was not such a taking of property for public use as must under the Constitution be preceded by making compensation to the owner of the bridge.

## REVIVE COMMODITIES CLAUSE.

Attorney-General to Bring Suit Against the Lehigh Valley Roads.

WASHINGTON, Feb. 21.—The Department of Justice intends to put new life in the commodities clause of the Hepburn railroad law, which many legal authorities, including former Attorney-General Bonaparte and former Solicitor-General Hoyt believed had been nullified for all practical purposes by the decision of the Supreme Court on May 3 last. The Department hopes to accomplish this in an action about to be begun against the Lehigh Valley Railroad Company and the Lehigh Valley Coal Company, probably on Thursday, in Philadelphia.

Ever since Attorney-General Wickersham took hold of the Department of Justice he has been studying the possibility of again testing the commodities clause, and he regards the possibility of securing a new interpretation of the clause as of the utmost importance.

The Supreme Court decision, while upholding the constitutionality of the law and the right of Congress to prohibit absolutely a railroad company from carrying commodities in which it was interested, decided also that this prohibition did not apply to commodities owned by another corporation where the only interest the carrier had in ownership of stock of the corporation owning the commodities.

Mr. Justice White, who handed down the opinion, said in conclusion: "We are of the opinion that the ends of justice will be subserved not by reversing and remanding with particular directions as to each of the defendants but by reversing and remanding with directions for such further proceedings as may be necessary to apply and enforce the statute as we have interpreted it."

The new attempt of the Department of Justice is based largely on this sentence in the Supreme Court decision: "The Department of Justice believes that the Lehigh Valley Railroad Company and the Lehigh Valley Coal Company are one company, it contends, is not a bona fide distinct company, but merely an adjunct to the railroad. The Supreme Court decision, the Department holds, points out that when a coal company is not a distinct separate concern, but an adjunct of the railroad, then the railroad has such an interest in the coal as to prohibit its carrying that commodity."

## COULD SAVE \$300,000,000 A YEAR.

Says Senator Aldrich, If as a Business Man He Should Run the Government.

WASHINGTON, Feb. 21.—"If as a business man I should undertake to run this Government I am satisfied that I could effect a saving of \$300,000,000 a year." Such was a declaration by Senator Aldrich of Rhode Island in the Senate today while speaking in behalf of the bill creating a Government business methods commission to consist of nine members, three to be appointed by the Vice-President from the Senate, three by the Speaker from the membership of the House and three to be selected by the President from the country at large. Senator Aldrich said that the President is cordially and heartily in favor of the measure, which would in his opinion save as much as 10 per cent. of the expenditures of the Government.

The creation of the commission was opposed in a vigorous speech by Senator Dooliver of Iowa the minute the bill was taken up. "It is no intelligent observer," said Senator Aldrich in reply, "who does not know that the executive departments of the Government are carried on with obsolete business methods or who does not know that the Government is expending annually as much as \$300,000,000 and that the Government is not getting its money's worth out of the business methods. The American people are not interested in the Government. They are interested in the results of the Government."

"Every one knows there is a duplication in the departments. The cost of the investigation would be a small fraction of the amount that would be saved. Changes in the laws as well as an investigation of business methods should be considered. Senator Aldrich offered an amendment providing that the commission should consist of five Senators and five members of the House. This met the objection of several Senators who thought that the investigation should be conducted independently of the executive department. The 10 per cent. which the Senator said the appointment of the commission would amount to \$300,000,000 a year.

Some of the Democratic Senators profess to see in the proposed commission a means of strengthening the political fences in the next campaign, when the Democrats will raise the cry of Republican extravagance.

## IMPORTATION OF OPIUM.

Secretary Knox Says Government Has Unwittingly Encouraged Use of the Drug.

WASHINGTON, Feb. 21.—In a special message to Congress today President Taft transmitted a report by Hamilton Wright on behalf of the American delegates to the international opium commission, which met in Shanghai, China, in January, 1909.

The report points out that while the United States is to be commended for what has been done further restrictive legislation is needed. A memorandum by Secretary of State Knox accompanied the report.

"By permitting the importation of opium prepared for smoking," says the Secretary, "under the dutiable schedules or at times upon the free list this Government has for half a century unwittingly encouraged the use of this form of opium, to the great detriment of the Chinese immigrants and to the growing danger not only of the criminal and detective classes but of the higher ranks of society."

"Incidental to the unrestricted importation of medicinal opium the manufacture of morphine has come to be a monopoly of American manufacturers with an enormous growth in production, so that as a notorious fact large numbers of people in all social ranks have become debauched by the misuse of it."

The Secretary says that local laws were ineffective to control it while it was permitted to go unrestrained in interstate commerce. This state of affairs was corrected in large measure by the law of 1909, but the Secretary adopts the recommendation of the commission to prohibit the manufacture and sale of smoking opium and to impose restrictions to compel the proper use of opium in other foreign countries. He urged to extend the pharmacy law of the District of Columbia to the United States consular districts in China.

## CONGRESSMAN SCOTT OBJECTS.

Says Kansas G. A. R. Is Against Loan of Tents to Confederate Veterans.

WASHINGTON, Feb. 21.—The Senate bill providing for the loan by the Government of a number of tents for the Confederate Veterans' reunion at Mobile in April was reached on the unanimous consent calendar of the House this afternoon and was promptly objected to by Representative Scott of Kansas.

"Sentiment back home," was the explanation given by Mr. Scott. It is well known that the G. A. R. is bitterly opposed to the loan of tents to the Confederate Veterans. Mr. Scott did not desire to pose as a waver of the "bloody shirt," but his position as objector was forced upon him, he said, by the constituents.

Representative Dent of Alabama, who had charge of the bill in the House, said that as this bill would come up for consideration on Wednesday, regardless of its failure to pass by unanimous consent coupled with the fact that it had been favorably reported by the House Committee on Military Affairs, he was confident that it would pass by a huge majority when again brought before the House.

It is to this act that Senator Heyburn of Idaho paid his vitriolic tribute to the Senate about two weeks ago.

## CHANGES BANKRUPTCY LAW.

Bill Reported in the House Limits Expenditures in Bankruptcy Cases.

WASHINGTON, Feb. 21.—Bankruptcy proceedings will be materially changed and regulated if a bill introduced by Representative Sherley and formally reported today by the House Judiciary Committee becomes a law.

It provides that any person may become a voluntary bankrupt excepting as a municipality, railroad, insurance or banking corporation. It also designates the kinds of property which are required to be listed in bankruptcy proceedings and definitely fixes the fees and charges in such cases. The limiting of expenditures in bankruptcy proceedings is considered highly important, as it will make impossible the dissipation of the property of a bankrupt through legal chicanery.

The committee also reported favorably amendments to the employers' liability law granting concurrent jurisdiction in such cases to State and Federal courts and providing that in cases of death of injured parties who have begun suits the next of kin may continue the action.

## REFUSES TO RELEASE THEM.

Supreme Court Affirms Judgment Against Men Accused of Cotton Leak.

WASHINGTON, Feb. 21.—The Supreme Court today affirmed the judgment of the Federal court at New York in refusing to release on writ of habeas corpus Moses Hays, ordered removed to Washington for trial with Frederick Peckham and Theodore A. Price on charges of conspiring to defraud the Government in connection with the "leak" of cotton statistics from the Department of Agriculture. Similar judgments were also announced in the cases of Price and Peckham.

## CORPORATION TAX UNPOPULAR

WHITE HOUSE BOMBARDED WITH PROTESTS AGAINST IT.

Telegram Signed by Thirty-six Illinois Corporations Asks the President to Recommend Repeal—Many Corporations Will Refuse to Send in Returns.

WASHINGTON, Feb. 21.—Representative Sterling of Illinois called at the White House today and handed the President a telegram signed by thirty-six corporations in Bloomington, Ill., asking him to recommend the repeal of the corporation tax law. This is only one instance of the pressure that the business interests of the country are bringing to bear on the President to get him to recommend more certain relief than is to be found in the suspension of the operation of the publicity clause.

The President's answer to all appeals of this kind is that the law must have a fair trial. If this trial shows that it will not accomplish what the President and his advisers expected he may be willing to consider amendments to it.

On the whole, however, the corporations of the country are not going so far as to ask a repeal of the law at this time. They are confining their efforts chiefly to an attempt to get definite action on the publicity feature of the law. It can be said that the President still has faith in the efficacy of the publicity clause and that he wants to see it enforced. He will not, however, do anything in reference to the Secretary of the Treasury's request for a \$50,000 appropriation until that appropriation comes up in the general deficiency bill.

In the meantime the Supreme Court probably will have handed down its decision on the constitutionality of the law. Five additional cases involving the validity of the corporation tax law were today assigned for argument on March 4 in the Supreme Court. The cases are: *First National Bank of Chicago v. United States*, *First National Bank of New York v. United States*, *First National Bank of Boston v. United States*, *First National Bank of Philadelphia v. United States*, and *First National Bank of St. Louis v. United States*.

It was learned today that many corporations will refuse to send in returns to the Treasury Department. The Treasury Department is to comply with the law in this respect will lay the corporations open to heavy fines, but the corporations apparently are not so much concerned with the law as they are with the publicity clause. By doing this they will escape for the present the necessity of disclosing their business secrets to the public.

The Treasury Department has sent instructions to the internal revenue collectors to notify the corporations of the penalty they will incur by failing to send in returns. The Treasury Department has also sent instructions to the internal revenue collectors to notify the corporations of the penalty they will incur by failing to send in returns.

Attorney-General Wickersham in an opinion transmitted today to Secretary of the Treasury MacVeagh holds that a partnership association organized under the laws of the State of Pennsylvania is within the purview of the law; also that the partnership association is not exempt from the law of the State of West Virginia is exempt from this excise tax.

"This conclusion," the Attorney-General says, "does not apply to partnerships which have been organized as other banking institutions."

## STATUTE OF AMERICAN INDIAN.

House Committee Decides to Erect It on Governors Island.

WASHINGTON, Feb. 21.—According to the Secretary of the Navy Meyer the statue of the American Indian which it is proposed to have Congress and certain citizens erect at Fort Lafayette, in New York harbor, would be in danger of being blown up about the time it was finished. Mr. Meyer notified the House Committee on the Library today that a great quantity of explosives, including dynamite, were stored near where it is proposed to erect the statue.

In view of this fact the committee has practically decided to fix the site at the southern part of Governors Island. Secretary Meyer offered to move the explosives so that it would be safe for the workmen to proceed with the work of erecting the statue if place could be found to store the explosives. The committee believes that it will be easier to place the effigy of poor Lo elsewhere.

## THE FISHERIES DISPUTE.

Counter Cases of the United States and Great Britain Exchanged.

WASHINGTON, Feb. 21.—The counter cases of the United States and Great Britain in the Newfoundland fishery arbitration were exchanged today. The American case was delivered by an officer of the State Department to the British Embassy in this city. The British case will be handed to Whitehall Reid, the American Ambassador at London. Both countries will send copies of their counter cases to the Hague court for distribution among the arbitrators.

The original cases were exchanged last September. The preparation of the counter cases will be begun as soon as the British case has been studied by the legal officers of the State Department. The argument will be delivered before the Hague court in May and June next.

Tapeworm Club Dines With Vice-President Sherman.

WASHINGTON, Feb. 21.—The Tapeworm Club dined to-night with Vice-President Sherman at his home. It was a gathering of New York Republican politicians and the talk that went around the board related mostly to the political situation of the Empire State. Justus B. Hooper, who had expected to be present, sent his regrets and explained that he was detained by business in his court. The members of the club present were: Senator George N. Southwick, ex-Gov. Frank S. Black, ex-Gov. B. B. Odell, Jr., Ex-Representative Lucius N. Littauer, Ex-Representative William L. Foot, William Barnes, Jr., William L. Foot, I. F. Fischer and Charles G. Bennett, secretary of the Senate.

## HOUSE VOTES TO EXTEND LIFE OF IMMIGRATION COMMISSION.

WASHINGTON, Feb. 21.—Although Representative Hootch of Arkansas recently charged the Immigration Commission, and particularly Representative Bonaparte of New York, one of its members, with squandering Government money in junketing about Europe, the House today, by a strictly party vote of 145 to 127, decided to give the commission \$125,000 more and extend its life to December 1. The House wanted to give the commission only \$65,000, but the Senate in conference insisted on the larger amount and finally the House capitulated.

## ARMY AND NAVY ORDERS.

WASHINGTON, Feb. 21.—These army orders were issued today: Capt. Samuel D. Rokenbach, Twelfth Cavalry, from Philippine Division to Fort Ord, Cal.; Capt. Ralph Harrison, Seventh Cavalry, detailed to duty in Quartermaster's Department, March 21, vice Capt. Abraham G. Lott, detailed to duty in Seventh Cavalry from that date; Capt. Abraham G. Lott, from Seventh to Sixth Cavalry; Capt. Evan H. Humphrey, from Sixth to Seventh Cavalry.

Capt. Samuel P. Dunphy, commissary, from San Francisco to duty in Quartermaster's Department, March 21, vice Capt. Jacob E. Bloom, commissary, ordered to New York City; First Lieut. Edward W. Wildrick, from Fifth to First Cavalry, March 21, vice First Lieut. Lucien D. Booth, from Fifth to First Cavalry; Capt. William P. Santa, medical corps, to command of Company A, hospital corps, during absence of Capt. J. W. Turner, from the Duquesne to the South Carolina; Surgeon C. Dew Brownell, orders of February 17.

These navy orders were issued: Midshipman A. B. McNeill, to the Duquesne; Midshipman W. Turner, from the Duquesne to the South Carolina; Surgeon C. Dew Brownell, orders of February 17.

## TARIFF CONCESSIONS.

Minimum Rates Granted to South American and Other Countries.

WASHINGTON, Feb. 21.—Proclamations have been signed by President Taft granting the minimum rates of the new tariff act to Abyssinia, British Guinea, Morocco, Guatemala, Ecuador, Bolivia, Peru, Chile, Portuguese India, Portuguese East Africa, Macao, Timor, Cape Verde Islands, Angola, Portuguese Guinea, St. Thomas, Prince Islands and Greece.

Some important advantages have been secured for American goods in Brazil through the representations of the State Department. In the past the Brazilian Executive has been authorized to grant a preferential reduction of 20 per cent. to a limited list of articles imported from the United States. Under the budget law passed by the Brazilian Congress for the current year this reduction on the number of articles has been removed. In consequence Brazil has added to the former list desks, furniture for schools, cosmetics, cement and drugs. These are commodities which manufacturers in the United States asked the State Department to have included in the list accorded preferential reduction. The benefit of the business in Brazil would be increased.

## TO SUCCEED WOODRUFF.

New York Republican Congressman Says Vreeland Is the Man for the Place.

WASHINGTON, Feb. 21.—According to views expressed today by many members of the New York delegation in the House Representative Edward B. Vreeland of Salamanca would be the ideal man to succeed Timothy L. Woodruff as chairman of the Republican State committee of New York. Mr. Vreeland himself was non-committal as to whether or not he would take the job of running the State committee if it were offered to him. He did insist, however, that he would have to be convinced that his services really were necessary before he would be in any likelihood of a responsive mood. "I am emphatically not a candidate," was all he would say for publication.

Representatives Parsons, Bennett, Dwight and others frankly said that they considered Mr. Vreeland the man for the place. It seems to be the general impression among members of the delegation that Mr. Woodruff's days as State chairman of the Republican party in New York are numbered. The committee will be called about the first of May to select a man to succeed him.

## BOUNDARY DISPUTE SETTLED.

West Virginia Can Retain Preston County, Which Was Claimed by Maryland.

WASHINGTON, Feb. 21.—The long-standing controversy between West Virginia and Maryland over the location of the boundary line between the two States was settled by the Supreme Court today by the finding that Preston county, W. Va., should remain a part of that State and not be transferred to Maryland.

The controversy turned on what was the west fork of the Potomac River as set forth in the original grant by Lord Baltimore to the colony, however, brushed aside this question and took the ground that as the people of Preston county had been so long identified with West Virginia and afterward with West Virginia, they should remain a part of that State.

The court ordered the appointment of a commission to run a new boundary line between the States. The cost of the suit, which has been pending since 1881, is to be divided between the two States.

## \$300,000,000 FOR RECLAMATION.

Senators for and Against Limiting the Expenditures to Existing Projects.

WASHINGTON, Feb. 21.—The bill providing for the issuance of \$300,000,000 of certificates of indebtedness with which to complete existing reclamation projects in Western States was considered in the Senate today, but went over at the suggestion of Senator Aldrich, who said that there were certain matters connected with the issuance of certificates which the Finance Committee should have a chance to discuss before the Senate took action.

Western Senators discussed the amendment offered by Senator Flint of California to limit the expenditure of the certificates to existing projects. Senator Borah of Idaho favored the use of \$300,000,000 in extensions as well as in existing projects.

Senator Hatch of Utah wanted to increase the issue of certificates from \$300,000,000 to \$500,000,000, so as to cover future as well as existing projects.

## TO DROP ABOUT 200 EMPLOYEES.

Treasury Department Proposes to Save \$122,000 a Year.

WASHINGTON, Feb. 21.—Plans for reforms in the Treasury Department, which will save the Government about \$122,000 a year and at the same time expedite business, were announced by acting Secretary of the Treasury Norton to-night. The reforms will become effective on July 1. Nearly 200 employees of the Department will be dropped, but President Taft has requested heads of other departments to fill any vacancies they may have in clerical and other forces by applying to the Treasury Department for the transfer of those displaced. The Department hopes to find such places for practically all of the "excess" employees.

## "LOTS TO BE DONE."

Speaker Cannon Doesn't Expect Early Adjournment of Congress.

WASHINGTON, Feb. 21.—Uncle Joe Cannon smiled today after he had seen President Taft when he was asked about reports of an early adjournment of Congress. According to the rumor Congress was to wind up affairs about the middle of May and everybody was to go home and get out the votes necessary to return a Republican majority in the House.

"I am sure there will be a great deal to be done this time of the year," said Uncle Joe. "In my judgment Congress will be here some time fairly well, but there is lots to be done yet."

## MOVEMENTS OF NAVAL VESSELS.

WASHINGTON, Feb. 21.—The battleship Louisiana and the cruisers Birmingham and North Carolina have arrived at Hampton Roads, the collier Sterling at Newport News, the cruiser Chester at New York, the collier Justus at St. Paul, Pedro and the cruiser Dixie and the torpedo boat Smith and Lamson at Charleston.

The collier Marcellus has sailed from New York for the Philippines. The battleship Michigan from Culebra, the battleship Oregon from Manila and the cruiser Tacoma from Cristobal for Port Limon.

## COST OF BATTLESHIP FLEET'S WORLD CRUISE.

WASHINGTON, Feb. 21.—Secretary of the Navy Meyer has had a pamphlet prepared for general distribution on the world cruise of the Atlantic battle fleet. It says the normal cost of maintaining the fleet at the home station for a period equal to that of the cruise would have been \$1,840,000. The actual cost of the cruise, however, amounted to only \$1,619,943, making the total cost of the cruise \$12,400,512.

## SENATORS TILMAN AND SMITH CONTINUE TO IMPROVE.

WASHINGTON, Feb. 21.—Senator Tillman's condition continued to improve today. Physicians say, however, that it will be several days before any statement can be made as to ultimate recovery. At the Homoeopathic Hospital it was said to-night that Senator Smith of Michigan, who was operated on for appendicitis on Friday, is doing well.

## MEMORIAL TO R. W. GILDER

\$100,000 FUND PROPOSED FOR USE AT COLUMBIA.

Plan Is to Provide Fellowships for Special Training in Social and Political Science Here and Abroad [and Also in Civic Work—Contributions Asked.

A movement is announced for the creation of a permanent memorial to Richard Watson Gilder. The plan is undertaken by a committee of forty-five members, of which A. S. Frissell is treasurer, and an open appeal is made for either large or small contributions, to be sent to Mr. Frissell. These subscriptions are invited by the committee "in the belief that many will be glad to have this opportunity to aid in perpetuating Mr. Gilder's memory and example."

It is proposed to raise a fund of \$100,000 to be known as the Richard Watson Gilder Fund for the Promotion of Good Citizenship. The aim is "to perpetuate and realize his lofty ideals of civic patriotism and to continue the efforts for the improvement of the conditions of civil life which constituted so large a part of his own work."

It is to be entrusted to the fund to Columbia University, the income to be used for the support of several fellowships for the pursuit of social and political sciences and for practical civic work. Holders of the fellowships will be known as Gilder fellows, and must devote themselves to the investigation and study of actual political and social conditions here and abroad, "with a view to securing more accurate and extensive knowledge and to improving these conditions."

In the discretion of the university a part of the income may be used to publish the results of the studies and investigations. Austin G. Fox is chairman of the committee, and the other members besides Mr. Frissell are Hamilton W. Mabie, Dr. Simon Flexner, Miss Cecelia Beaux of Philadelphia, Robert T. Lincoln of Chicago, Howard Mansfield, Dr. Charles McBurney, Dr. S. Weir Mitchell of Philadelphia, Francis T. Nichols of New Orleans, Jacob A. Riis, William Jay Schiefelbusch, Charles S. Sargent of Boston, Talcott Williams of Philadelphia, William James of Boston, George McAnany, John G. Milburn, Francis D. Millet, George Haven Putnam, William B. Bourn of San Francisco, Thomas Wentworth Higginson of Boston, Leifur E. J. Abbott, Percy S. Grant, Mrs. H. Winthrop Gray, Mrs. Grover Cleveland, Elgin R. L. Gould, John G. Agar, John W. Alexander, William L. Garrison, George Cutting, John H. Ditson, Robert W. de Forest, Thomas Hastings, Mrs. Edward R. Hewitt, Henry Holt, Nelson P. Hulst of Milwaukee, Mrs. Schuyler Van Rensselaer, Miss Schuyler, Isaac N. Seligman, Albert Shaw, I. N. Phelps Stokes, Charles H. Strong, Schuyler Skates Wheeler, the Rev. Dr. Henry van Dyke and John B. Fine, secretary.

## OPPOSE NEW COMMERCE BILL.

Boston Chamber Says It Would Annihilate Transportation Companies.

Boston, Feb. 21.—The transportation committee of the Chamber of Commerce today declared in a resolution that "the practical annihilation of coastwise and inland water transportation companies" would be the result of the enactment of the administration's railway regulation bill now before Congress. The resolution says: "Whereas Senate bill 5108, now pending before Congress, provides that all steamship lines with coastwise rail connections and may have through rail and water rates shall be subject to the interstate commerce law with reference to their port to port traffic, it is plain that such a law would result in the practical annihilation of our coastwise and inland water transportation companies and that the Chamber of Commerce should use its utmost efforts to prevent the passage of this section of the law."

The committee says that the steamship lines are the rate regulators for practically the entire country and that the enactment of such a law would put the regular lines at the mercy of the tramp steamers on account of having to publish their rates in advance and maintaining their schedule rates, thus yielding to the tramp vessels control of all bulk cargoes.

The committee also declares that while railway rate regulation has removed unjust discrimination to a great extent it has also caused consolidation of railroads. To establish this same control over all rail and water lines not only to the rail and water traffic but also their port to port traffic would result in a deterioration of service and inflexibility of rates.

## ATTORNEY-GENERAL HEARD.

Explains to Senate Committee the Elkins-Townsend Railroad Bill.

WASHINGTON, Feb. 21.—Attorney-General Wickersham appeared before the Senate Committee on Interstate Commerce this afternoon and explained the amendments to the Elkins-Townsend bill amending the interstate commerce law. He was with the committee for more than an hour behind closed doors. It is expected that the bill will be reported to the Senate either to-morrow or Wednesday.

Most of the time today was taken up by Senator Cummins of Iowa in quizzing the Attorney-General. The Senator from Iowa may submit a minority report, but it is thought he will content himself by offering his own bill as a substitute for the Administration measure that was introduced by Senator Elkins and which the committee will probably vote for Mr. Cummins's bill.

## FOR FEDERAL LABORERS.

WASHINGTON, Feb. 21.—Senator Brewster of Kansas introduced a bill today directing a readjustment of the pay of laborers and mechanics on Government work to conform to an eight hour day and to pay for overtime.

## PERKINS CRITICALLY ILL.

His Physician Has Little or No Hope of His Recovery.

WASHINGTON, Feb. 21.—Members of Congressman Perkins's family admitted to-night that his condition is critical. Practically no hope is entertained for his recovery. Many misleading reports had been given out in regard to Mr. Perkins's condition and until to-night it was thought that he was on the road to recovery.

"Mr. Perkins's condition is very grave," said Dr. H. B. Deale, the family physician, to-night, "and we cannot say how long he will last. The end may be within the next few days."

Dr. Deale added that Mr. Perkins was conscious and realized his condition. The Congressman was suffering from inflammation of the bladder. He was taken down about a week ago and he has been in the Garfield Hospital ever since.

## ANOTHER PEARY REWARD BILL.

To Retire Him as a Civil Engineer With Rank and Pay of Rear Admiral.

WASHINGTON, Feb. 21.—Another Peary reward bill was introduced in the House today. Representative Bates of Pennsylvania, a member of the Committee on Naval Affairs, is the author. He proposes to retire Mr. Peary as a member of the corps of civil engineers with the rank and pay of a Rear Admiral.

"I have investigated the precedents for this proposed action," said Mr. Bates today, "and I find that we have rewarded other men similarly for their services as explorers and discoverers. Mr. Bates added that he thought it would be a good thing for Mr. Peary to get some scientific organization of which he was not a member to pass on his north pole expedition."

## FOR SHIP SUBSIDY BILL.

Committee Report Says It Will Give the Best Service to South America.

WASHINGTON, Feb. 21.—The report of the Committee on Merchant Marine and Fisheries on the Administration's ship subsidy bill, introduced by Representative Humphrey of Washington, was presented to the House today.

"This legislation," says the report, "will if enacted give to the United States the very best ocean mail and fast freight service in American ships to South America instead of the present worse service in foreign ships. It will defeat the effort of the Anglo-Japanese alliance to drive the American flag out of the Pacific Ocean. The competition under the conditions of this bill is emphatically not a 'subsidy' but actual reward for important public service rendered."

## PRESIDENT TO BE GOV. HUGHES'S GUEST.

WASHINGTON, Feb. 21.—According to plans announced today President Taft will be the guest of Gov. Hughes at the Executive Mansion for two days, March 19 and 20. The President will reach Albany on the evening of March 18 from a trip to Chicago.